

HCS HB 258 -- AGRICULTURAL PROPERTY (Reiboldt)

COMMITTEE OF ORIGIN: Standing Committee on Civil and Criminal Proceedings

This bill specifies that the owner of any livestock that trespasses on the premises of another must not be held strictly liable for any damages sustained.

The bill specifies that a person commits the offense of tampering with farm equipment if he or she knowingly and without authorization or without reasonable grounds to believe that he or she has authorization defaces, marks, disturbs, or vandalizes any farm equipment owned by another; modifies or destroys any component necessary to the operation of any farm equipment owned by another; or accesses and relocates any farm equipment owned by another. The offense is a class A misdemeanor unless the offense causes pecuniary loss of more than \$1,000, in which case it is a class D felony if committed before January 1, 2017, and a class E felony if committed on or after January 1, 2017.

Currently, a person is guilty of the crime of animal trespass if he or she having ownership of an animal knowingly fails to provide adequate control for a period of 12 hours or more. The bill specifies that a person commits the offense of animal or livestock trespass if he or she having ownership or custody of an animal knowingly fails to provide adequate control and the animal trespasses onto another person's property or having ownership or custody of livestock knowingly fails to provide adequate control of the livestock for a period of 12 hours or more and the livestock trespasses onto another person's property. The bill removes the specified maximum fines that may be charged for the offenses of animal or livestock trespass. The bill repeals a provision specifying that reasonable costs incurred for the care and maintenance of trespassing animals may not be waived.